

Serial No.: 09/938,911

Filed: August 24, 2001

For: COURSE WAVE DIVISION/MICHAEL ALEXER Examiner:



Case No.: 020472-000410US

Group Art Unit: 2874

TC 2800 MAIL ROOM

SEP - 4 2003

2874  
2839  
RECEIVED

COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Transmitted herewith are a Letter Requesting Revocation of Previous Power of Attorney and Authorization of New Power of Attorney, Form PTO/SB/82, Form PTO/SB/81, form PTO/SB/96, and a photocopy of two original assignment documents in the above-identified application.

☒ No fee required.

- ☐ Applicant petitions the Director of the Patent and Trademark Office to extend the time for response to the Office Action Dated \_\_\_\_\_ for \_\_\_\_\_ month(s) so that the period for response is extended to \_\_\_\_\_. A check in the amount of \$ \_\_\_\_\_ is attached to cover the cost of the extension. Any deficiency or overpayment should be charged or credited to deposit account No. 50-1413. A duplicate copy of this sheet is enclosed.
- ☐ A check in the amount of \$ \_\_\_\_\_ is attached.
- ☐ A check for \$ \_\_\_\_\_ accompanying IDS under 37CFR 1.97(c) is attached.
- ☐ A check for \$ \_\_\_\_\_ and Petition for Consideration of IDS under 37CFR 1.97(d) is attached.
- ☒ The Director is hereby authorized to charge any additional fees, which may be required, or to credit any overpayment to account No. 50-1413. In the event that any variance exists between the amount enclosed and the Patent and Trademark Office charges for filing the above-noted documents, including any fees required under 37 CFR 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit our Deposit Account No. 50-1413. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 CFR 1.136 for the necessary extension of time. A duplication of this sheet is enclosed.

When phoning re this application, please call (708) 867-9600 extension 2267.

BY: Karl D. Kovach

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO: COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450 ON AUGUST 28, 2003.

Karl D. Kovach

Name of Applicant's Attorney

Karl D. Kovach

Signature

40,278

Registration Number

Serial No.: 09/938,911

Filed: August 24, 2001

For: COURSE WAVE DIVISION MULTIPLEXER Examiner:

Case No.: 020472-000410US

Group Art Unit: 2874



COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, VA 22313-1450

RECEIVED  
SEP - 4 2003  
TC 2800 MAIL ROOM

Sir:

Transmitted herewith are a Letter Requesting Revocation of Previous Power of Attorney and Authorization of New Power of Attorney, Form PTO/SB/82, Form PTO/SB/81, form PTO/SB/96, and a photocopy of two original assignment documents in the above-identified application.

☒ No fee required.

- ☐ Applicant petitions the Director of the Patent and Trademark Office to extend the time for response to the Office Action Dated \_\_\_\_\_ for \_\_\_\_\_ month(s) so that the period for response is extended to \_\_\_\_\_. A check in the amount of \$ \_\_\_\_\_ is attached to cover the cost of the extension. Any deficiency or overpayment should be charged or credited to deposit account No. 50-1413. A duplicate copy of this sheet is enclosed.
- ☐ A check in the amount of \$ \_\_\_\_\_ is attached.
- ☐ A check for \$ \_\_\_\_\_ accompanying IDS under 37CFR 1.97(c) is attached.
- ☐ A check for \$ \_\_\_\_\_ and Petition for Consideration of IDS under 37CFR 1.97(d) is attached.
- ☒ The Director is hereby authorized to charge any additional fees, which may be required, or to credit any overpayment to account No. 50-1413. In the event that any variance exists between the amount enclosed and the Patent and Trademark Office charges for filing the above-noted documents, including any fees required under 37 CFR 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit our Deposit Account No. 50-1413. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 CFR 1.136 for the necessary extension of time. A duplication of this sheet is enclosed.

When phoning re this application, please call (708) 867-9600 extension 2267.

BY: Karl D. Kovach

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO: COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450 ON AUGUST 28, 2003.

Karl D. Kovach

Name of Applicant's Attorney

Karl D. Kovach

Signature

40,278

Registration Number

Atty. Case No.: 020472-000410US



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application:  
Campbell

) Group Art Unit: 2874

)  
) Examiner:

For: COURSE WAVE DIVISION  
MULTIPLEXER

Serial No.: 09/938,911

Filed: August 24, 2001

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

RECEIVED  
SEP - 4 2003  
TC 2800 MAIL ROOM

**LETTER REQUESTING REVOCATION OF PREVIOUS POWER OF ATTORNEY**  
**AND**  
**AUTHORIZATION OF NEW POWER OF ATTORNEY**

Sir:

Attached herewith are forms PTO/SB/82, PTO/SB/81, and PTO/SB/96, and original copies of two assignment documents.

Form PTO/SB/82 sets forth the Assignee's request to have the previous power of attorney revoked, and to set forth the Assignee's request to have a new power of attorney recognized by the United States Patent and Trademark Office. Form PTO/SB/82 is signed by a person who is authorized to act on behalf of the Assignee, the form is signed by the President and CEO of Stratos Lightwave, Inc., James W. McGinley.

Form PTO/SB/81 sets forth the names of the practitioners appointed by the Assignee to have the power to prosecute the above-identified patent application, and to transact all business in the United States Patent and Trademark Office connected therewith. Form PTO/SB/81 is

signed by a person who is authorized to act on behalf of the Assignee, the form is signed by the President and CEO of Stratos Lightwave, Inc., James W. McGinley.

Form PTO/SB/96 establishes ownership of the above-identified patent application under 37 C.F.R. § 3.73(b). Form PTO/SB/96 establishes that Stratos Lightwave, Inc., owns the entire right, title, and interest of the above-identified patent application. The first attached original photocopy of an assignment document documents that James P. Campbell assigned any and all rights that he had in the invention to Tsunami Optics, Inc. The second attached original photocopy of an assignment document documents that Tsunami Optics, Inc., assigned any and all rights that it had in the invention to Stratos Lightwave, Inc. The original of both assignment documents have been previously submitted to the United States Patent and Trademark Office. Form PTO/SB/96 is signed by a person who is authorized to act on behalf of the Assignee, the form is signed by the President and CEO of Stratos Lightwave, Inc., James W. McGinley.

Date of Deposit: August 28, 2003  
I hereby certify that this paper and/or fee is being  
deposited with the United States Postal Service  
First-Class service on the date indicated above and  
is addressed to:  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Karl D. Kovach

Respectfully submitted,  
By: Karl D. Kovach  
Karl D. Kovach  
Reg. No.: 40,278  
Stratos Lightwave, Inc  
7444 West Wilson Avenue  
Chicago, IL 60706  
(708) 867-9600



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PTO/SB/82 (08-03)  
Approved for use through 11/30/2005. OMB 0651-0035

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

## REVOCATION OF POWER OF ATTORNEY and APPOINTMENT OF NEW POWER OF ATTORNEY

Application Number	09/938,911
Filing Date	August 24, 2001
First Named Inventor	Campbell, J.
Art Unit	2874
Examiner Name	
Attorney Docket Number	020472-000410US

I hereby revoke all previous powers of attorney given in the above-identified application:

☒ A Power of Attorney is submitted herewith.

OR

☐ I hereby appoint the practitioners at Customer Number:

☐ Please change the correspondence address for the above-identified application to:

☐ The address associated with Customer Number:

OR

☐ Firm or Individual Name

Address

Address

City

State

Zip

Country

Telephone

Fax

I am the:

☐ Applicant/Inventor.

☒ Assignee of record of the entire interest. See 37 CFR 3.71.  
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)

### SIGNATURE of Applicant or Assignee of Record

Name

James W. McGinley

Signature

Date

8/27/03

Telephone

(708) 867-9600

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below\*.

☐ \*Total of \_\_\_\_\_ forms are submitted.

This collection of information is required by 37 CFR 1.36. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

RECEIVED  
SEP - 4 2003  
TC 2800 MAIL ROOM



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**POWER OF ATTORNEY  
and  
CORRESPONDENCE ADDRESS  
INDICATION FORM**

Application Number	09/938,911
Filing Date	August 24, 2001
First Named Inventor	Campbell, J.
Title	Course wave division .....
Art Unit	2874
Examiner Name	
Attorney Docket Number	020472-000410US

I hereby appoint:

☐ Practitioners at Customer Number:

OR

☒ Practitioner(s) named below:

Name	Registration Number
Karl D. Kovach	40,278
Steven Evans	35,503
Robert M. Barrett	30,142
David Newman	37,196

as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.

Please recognize or change the correspondence address for the above-identified application to:

☐ The above-mentioned Customer Number:

OR

☐ The address associated with Customer Number:

OR

<input checked="" type="checkbox"/> Firm or Individual Name	Karl D. Kovach				
Address	Stratos Lightwave, Inc.				
Address	7444 W. Wilson Avenue				
City	Chicago	State	Illinois	Zip	60706
Country	USA				
Telephone	(708) 867-9600	Fax	(708) 867-7690		

I am the:

☐ Applicant/Inventor.

☒ Assignee of record of the entire interest. See 37 CFR 3.71.  
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)

**SIGNATURE of Applicant or Assignee of Record**

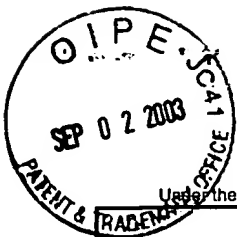
Name	James W. McGinley		
Signature	<i>James W. McGinley</i>		
Date	8/27/03	Telephone	(708) 867-9600

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below\*.

☐ \*Total of \_\_\_\_\_ forms are submitted.

This collection of information is required by 37 CFR 1.31 and 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

**STATEMENT UNDER 37 CFR 3.73(b)**Applicant/Patent Owner: Campbell, J. / Stratos Lightwave, Inc.Application No./Patent No.: 09/938,911 Filed/Issue Date: August 24, 2001Entitled: Course Wave Division MultiplexerStratos Lightwave, Inc., a corporation

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title and interest.  
The extent (by percentage) of its ownership interest is \_\_\_\_\_ %  
in the patent application/patent identified above by virtue of either:

A. ☐ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

**OR**

B. ☒ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: James P. Campbell To: Tsunami Optics, Inc.  
The document was recorded in the United States Patent and Trademark Office at  
Reel 012323, Frame 0135, or for which a copy thereof is attached.

2. From: Tsunami Optics, Inc. To: Stratos Lightwave, Inc.  
The document was recorded in the United States Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

3. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

☒ Copies of assignments or other documents in the chain of title are attached.  
[NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

August 27, 2003

Date

(708) 867-9600

Telephone number

James W. McGinley

Typed or printed name

Signature  
President and CEO of  
Stratos Lightwave, Inc.

Title

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Attorney Docket No.: 020472-000410US

## ASSIGNMENT OF PATENT APPLICATION

SOLE

WHEREAS, James P. Campbell, of 3421 El Camino Real, No. 13, Atherton, CA 94027; hereinafter referred to as "Assignor," is the inventor of the invention described and set forth in the below-identified application for United States Letters Patent:

Title of Invention: COURSE WAVE DIVISION MULTIPLEXER

Date of execution of Declaration: August 22, 2001

Filing Date: August 24, 2001

Application No.: 09/938,911

WHEREAS, Tsunami Optics, Inc., a corporation of the state of California, located at, 980 Linda Vista Avenue, , Mountain View, CA, 94043, hereinafter referred to as "ASSIGNEE," is desirous of acquiring an interest in the invention and application and in any U.S. Letters Patent and Registrations which may be granted on the same;


For good and valuable consideration, receipt of which is hereby acknowledged by Assignor, Assignor has assigned, and by these presents does assign to Assignee all right, title and interest in and to the invention and application and to all foreign counterparts (including patent, utility model and industrial designs), and in and to any Letters Patent and Registrations which may hereafter be granted on any patent application claiming priority from the same in the United States and all countries throughout the world, and to claim the priority from the application as provided by the Paris Convention. The right, title and interest is to be held and enjoyed by Assignee and Assignee's successors and assigns as fully and exclusively as it would have been held and enjoyed by Assignor had this Assignment not been made, for the full term of any Letters Patent and Registrations which may be granted thereon, or of any division, renewal, continuation in whole or in part, substitution, conversion, reissue, prolongation or extension thereof.

Assignor further agrees that Assignor will, without charge to Assignee, but at Assignee's expense, (a) cooperate with Assignee in the prosecution of U.S. Patent applications and foreign counterparts on the invention and any improvements, (b) execute, verify, acknowledge and deliver all such further papers, including applications and instruments of transfer, and (c) perform such other acts as Assignee lawfully may request to obtain or maintain Letters Patent and Registrations for the invention and improvements in any and all countries, and to vest title thereto in Assignee, or Assignee's successors and assigns.

Assignor hereby authorizes and requests Townsend and Townsend and Crew LLP, Two Embarcadero Center, 8<sup>th</sup> Floor, San Francisco, CA 94111-3834, to insert herein above the application number and filing date of said application when known.

IN TESTIMONY WHEREOF, Assignor has signed his/her name on the date indicated.

Dated: 8-22-01

  
James P. Campbell

PA 3165031 v1



## PATENT APPLICATION ASSIGNMENT

THIS PATENT APPLICATION ASSIGNMENT ("Assignment") is made as of August 26, 2003 by Tsunami Optics, Inc., a California corporation having its principal place of business at 1371 Shorebird Way, Mountain View, California 96043 (the "Assignor"), in favor of Stratos Lightwave, Inc., a Delaware corporation having its principal place of business at 7444 West Wilson Avenue, Chicago, Illinois 60706 (the "Assignee").

WHEREAS, Assignor is the owner of record of the U.S. patent applications (collectively, the "Patent Applications") having the Serial Numbers disclosed below:

09/938,911;

09/952,286; and

10/172,684; and

WHEREAS, Assignor is wholly owned by Assignee.

NOW, THEREFORE, in consideration of the mutual promises contained herein, and for other good and valuable consideration, the receipt and sufficiency of which are hereby expressly acknowledged, the parties agree as follows:

1. Assignor hereby sells, assigns, conveys and transfers unto Assignee all right, title, and interest in, to and under the Patent Applications together with the entire right, title, and interest in and to all continuations, divisions, renewals, and extensions of the Patent Applications and all rights and privileges granted and secured thereby, including, without limitation, the right to sue and recover for any past or continuing infringement of the Patent Applications, as well as the right to seek any and all remedies available at law or in equity;
2. All right, title, and interest in the Patent Applications shall be held and enjoyed by Assignee, for its own use and benefit and for the use and benefit of its successors, assigns, and other legal representatives, as fully and entirely as the same would have been held and enjoyed by Assignor if this Assignment had not been made. Without limiting the foregoing, Assignor assigns with the Patent Applications all associated income, royalties, damages, and payments due from or payable by any third party (including, without limitation, damages and payments for past, present, or future infringements or misappropriations thereof) and any and all corresponding rights that, now or hereafter, may be secured throughout the world; and
3. Assignor shall, without further consideration, execute any additional documents, bills of sale, assignments, recordation forms, or other instruments of transfer as may be reasonably requested to vest in Assignee clear and marketable title to the Patent Applications.

IN WITNESS WHEREOF, Assignor has caused this Assignment to be executed as of the date first written above.

Tsunami Optics, Inc.

Signature: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Title: \_\_\_\_\_

State of \_\_\_\_\_ )

County of \_\_\_\_\_ )

SS:

Before me personally appeared said \_\_\_\_\_  
and acknowledged the foregoing instrument to be his free act and deed this \_\_\_\_\_  
day of August, 2003.

seal

(Notary Public)